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REMARKS

This is in response to the Office Action mailed on May 9, 2006, in which claims 1-6, 8-15, and 19-25 were rejected under 35 U.S.C. § 102(e) as being anticipated by Ohtomo et al. (U.S. Pat. No. 6,791,795); and claims 7 and 16-18 were objected to as being allowable but dependent on a rejected base claim. With this Amendment, claims 15-18 are canceled, and claims 1-8, 12-14, 19-21, 24, and 25 are amended. Claims 1-14 and 19-25 remain pending in the present application.

Claims 1-6, 8-15, and 19-25 were rejected under 35 U.S.C. § 102(e) as being anticipated by Ohtomo et al. In order to reject a claim under § 102(e), the reference must teach each and every limitation of the claims. MPEP 2131; *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 2 USPQ2d 1051 (Fed. Cir. 1987). With this amendment, claims 1-8, 12-14, 19-21, 24, and 25 are amended. Amended claim 1 requires a bottom pole and a top pole, wherein a portion of the bottom pole proximate to the top pole extends from the front surface to at least an edge of the first top pole portion distal from the front surface. Amended claim 13 requires a bottom pole including a base pole and a notch pole and a top pole, wherein the notch pole extends from the medium confronting surface to at least a magnetic throat height of the magnetic writer, and wherein the magnetic throat height is a distance from the medium confronting surface to an edge of the first top pole portion distal from the medium confronting surface. Amended claim 21 requires a top pole and a bottom pole including a base pole and a notch pole, the notch pole being positioned proximate to the top pole and extending from the front surface to at least an edge of the first top pole portion distal from the front surface. By forming the portion of the bottom pole proximate the top pole beyond the edge of the first top pole portion distal from the front surface, the magnetic field strength at the gap layer is enhanced. Page 7, lines 1-7. By forming the portion of the bottom pole proximate the top pole to the edge of the first top pole portion distal from the front surface, the portion of the bottom pole proximate the top pole may be formed thicker, which allows for stronger magnetic fields at the gap layer. Page 10, lines 5-12.

Ohtomo et al. teach a thin film magnetic head including a lower magnetic pole having lower magnetic pole main layer 18, a lower magnetic pole front end layer 19, and a lower magnetic

pole rear end layer 20. The thin film magnetic head also includes an upper magnetic pole having upper magnetic pole front end layer 8 and upper magnetic pole rear end layer 9. When a recording current is applied to the lower coil 12 and the upper coil 12', a magnetic flux is induced in the upper magnetic pole front end layer 8, the upper magnetic pole top layer 13, the upper magnetic pole rear end layer 9, the lower magnetic pole rear end layer 20, the lower magnetic pole main layer 18, the lower magnetic pole front end layer 19, and the lower magnetic pole projection layer 24. Col. 4, line 66 to col. 5, line 43. As indicated in the Office Action with regard to claims 16-18, Ohtomo et al. do not teach a notch pole that extends from the air bearing surface to or beyond a magnetic throat height of the magnetic writer, wherein the throat height is a distance from the air bearing surface to an edge of a first top pole portion distal from the air bearing surface. The limitations of allowable claims 16-18 have been incorporated into independent claim 13, which the Office Action indicated would place claim 13 in condition for allowance. In addition, similar limitations have been incorporated into independent claims 1 and 21 to differentiate them from the device taught by Ohtomo et al. Various other editorial amendments have also been made to the claims to focus the claims to the novel aspects of the invention. Therefore, because the recited elements of claims 1, 13, and 21 are not taught by Ohtomo et al., the rejection of these claims under 35 U.S.C. § 102(e) should be withdrawn.

Claims 2-6, 8-12, 14, 15, 19, 20, and 22-25 were also rejected under 35 U.S.C. § 102(e) as being anticipated by Ohtomo et al. With this Amendment, claim 15 is canceled, thereby rendering moot the rejection of this claim. Claims 2-6 and 8-12 depend from claim 1, claims 14, 19, and 20 depend from claim 13, and claims 22-25 depend from claim 21. As discussed above, claims 1, 13, and 21 are not anticipated or otherwise taught by Ohtomo et al. Therefore, claims 2-6, 8-12, 14, 19, 20, and 22-25 are also not anticipated or otherwise taught by Ohtomo et al.

Claims 7 and 16-18 were objected to as being allowable but dependent upon a rejected base claim. With this Amendment, claims 16-18 are canceled, thereby rendering the objection to these claims moot. In that claim 1 are in condition for allowance, and claim 7 depends therefrom, the objection to claim 7 should be withdrawn.

Cited but Unapplied Art

The Office Action also made two other patents (Sasaki et al., U.S. Pat. No. 6,762,911 and Sasaki, U.S. Pat. No. 6,885,519) of record that were not relied upon but considered pertinent to the present disclosure, and required differentiation of the present disclosure over these two references. Sasaki et al. disclose a thin film magnetic head including a bottom pole 40, a write gap 41, an alumina insulating film 43, a top track pole 49, an intermediate pole 55, and a top pole 64 (FIG. 21). However, neither of these patents teaches a magnetic writer as recited by amended claims 1, 13, and 21. In particular, neither Sasaki nor Sasaki et al. teaches a magnetic writer including a portion of the bottom pole proximate to the top pole that extends from the front or medium confronting surface to at least an edge of the first top pole portion distal from the front or medium confronting surface. Thus, claims 1-14 and 19-25 are patentable over the Sasaki and Sasaki et al. references.

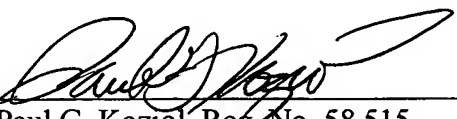
CONCLUSION

In view of the foregoing, all pending claims 1-14 and 19-25 are in condition for allowance. Reconsideration and allowance of all pending claims are respectfully requested.

Respectfully submitted,

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Date: 8/9/06

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